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1 RICHARD D. BIRDSALL, J.D.; In Pro Per
2 1919 Beaver Place
3 Anchorage, Alaska. 99504
4 (907) 952-5522
n5131x@yahoo.com

UNITED STATES DISTRICT COURT

DISTRICT OF ALASKA

7 RICHARD D. BIRDSALL,

8 Plaintiff,

9 vs.

10 LETITIA JAMES, ATTORNEY GENERAL OF THE STATE
11 OF NEW YORK,

12 Defendant

Case No.: 3:24-cv-00046-JMK

REQUEST FOR IMMEDIATE STAY OF NEW YORK
ACTION 452564/2022

- 13 1. I am a resident of the State of Alaska. My voter I.D. number is 11676181 with a Republican
14 political affiliation.
- 15 2. I have standing to bring this action as a voter that supports Donald Trump. This Court can take
16 judicial notice of voter registration records showing that there are thousands of Alaska voters
17 that are similarly situated. Defendant is knowingly and willingly taking actions to impede my
18 candidate's ability to compete for election in the State of Alaska and my ability to vote for him.
- 19 3. Defendant is in violation of Title 52, section 10101.
- 20 4. This Court has jurisdiction to take preventative relief including a temporary injunction,
21 restraining order, or any other order as deemed necessary pursuant to 52 USC sec. 10101(c).
22 This Court also has jurisdiction to enforce a breach of the tenants of the Untied States
23 Constitution and its Amendments.
- 24 5. Plaintiff respectfully requests this Court take judicial notice of all records in the New York court
25 case file for index number 452564/2022.

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6. Defendant in its civil action applied an impermissibly vague statute in an unprecedented arbitrary and capricious manner. This is in violation of both procedural and fundamental due process of the United States Constitution.
 7. Judgment, without a jury, was entered in this case without a modicum of procedural and fundamental due process in violation of the Constitution of the United States.
 8. A judgment of approximately \$454 million dollars was ordered with accumulating interest of approximately \$112,000 per day. An appeal bond is required to prevent defendant's enforcement causing serious financial harm to a candidate for President of the United States. These damages are presently occurring and will continue to accrue necessitating immediate relief by this court.
 9. The New York judgment is punitive and arbitrary because there is no evidence of injured parties and there is not a rational basis to support it. This judgment is *prima facie* confiscatory, extreme and abusive in violation of the Eighth Amendment of the Constitution of the United States.
 10. Defendant is also in violation of the First Amendment of the Constitution of the United States. The case of *CITIZENS UNITED v. FEDERAL ELECTION COMMISSION*, 558 U.S. 310 (2010), specifies that financial contributions to federal candidates constitutes protected speech. By correlation, arbitrary and capricious judgments seizing financial means from federal candidates is a violation of the First Amendment as well. Giving is free speech, taking violates free speech.
 11. The term "law-fare" is a newly coined phrase that accurately describes Defendant's conduct. There is no legal basis for the action at the outset and the judgment, requiring an unconstitutionally excessive appeal bond is intended to financially limit President Trump's ability to campaign nationally. In essence, Defendant's efforts are intended to financially castrate President Trump and restrict his ability, both in terms of time and finance, to compete for

REQUEST FOR IMMEDIATE STAY OF NEW YORK ACTION 452564/2022 - 2

1 election in the State of Alaska. The legal system is being unethically abused as an illegal tool of
2 oppression.

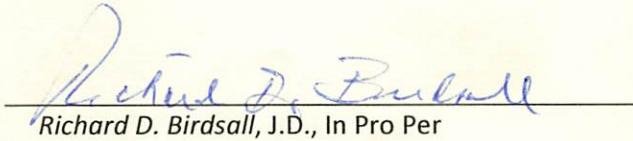
3 12. Defendant's actions intimidate individuals from participation in the election process for fear of
4 personal and financial attack. This impacts potential candidates nationwide in addition to
5 residents of Alaska. I have been contemplating running for political office and find law-fare
6 significantly chilling. Residents of modest means cannot afford to run for political office by the
7 example being set by Defendant.

8 13. The Plaintiff respectfully requests an immediate injunction/stay of the New York action,
9 including enforcement thereof, pending President Trump's appeal. This includes any need to
10 post a financial bond to protect assets during the appeal.

11 14. The Plaintiff requests a permanent injunction to preclude any enforcement of the judgment
12 while the State matter is pending appeal.

13 15. The Plaintiff also seeks any other relief this Court deems necessary.

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17 Dated: February 28, 2024.
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Richard D. Birdsall, J.D., In Pro Per

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